

MICHIGAN SUPREME COURT



Office of Public Information

contact: Marcia McBrien | (313) 972-3219 or (517) 373-0129

FOR IMMEDIATE RELEASE

PRIVACY POLICY ON SUPREME COURT'S JANUARY 25 PUBLIC HEARING AGENDA; PROTECTION OF SOCIAL SECURITY NUMBERS IN COURT DOCUMENTS IS GOAL

LANSING, MI, January 12, 2006 – Social security numbers could be removed by request from public court files, under a privacy proposal that will get a public hearing before the Michigan Supreme Court on January 25.

An introduction to the proposed policy states that the Supreme Court's goal is "to prevent the illegal or unethical use of personal information found within court files." (**File no. 2005-02**).

Under the proposal, court documents could include social security numbers only where "the number is required by statute, court rule, court order, or for purposes of collection activity when it is required for identification." The proposal restricts dissemination of social security numbers and provides penalties for violating the policy. In addition, a person whose social security number is in a court file could either ask the court to remove it or place the number in a separate, nonpublic file; this procedure would apply prospectively. The complete policy may be viewed at <http://www.courts.michigan.gov/supremecourt/Resources/Administrative/2005-02.pdf>

The hearing will start at 9:30 a.m. in the Supreme Court courtroom on the 6th floor of the Michigan Hall of Justice; the hearing will adjourn no later than 11:30 a.m. The Court regularly holds hearings as part of its public comment process for proposed court rules and other administrative matters, and invites members of the public to share their views on agenda items. Anyone wishing to speak at the hearing should contact the Clerk of the Court at P.O. Box 30052, Lansing, Michigan 48909 or by e-mail at MSC_clerk@courts.mi.gov, no later than Monday, January 23. Speakers will have three minutes each to present their views; Supreme Court Justices may ask questions of the speakers.

Also under consideration are proposed amendments to Michigan Court Rules (MCR) 9.108 and 9.109. The changes would permit the administrator of the Attorney Grievance Commission, which investigates and prosecutes attorney misconduct, to appoint a deputy administrator. Currently, only the Supreme Court, which also appoints the grievance administrator, can appoint the deputy administrator. The proposed rule (**File no. 2005-28**) is available at <http://www.courts.michigan.gov/supremecourt/Resources/Administrative/2005-28.pdf>

The Court will also invite comments on a proposed revision of MCR 7.211, "Motions in Court of Appeals." A subpart of the rule, which governs motions to remand, would be amended to state that the moving party must show that the issue in the motion "is one that is of record and

that must be” decided initially by the trial court. A staff comment states that the proposed amendment is aimed at clarifying that, where a remand motion is based on facts that are not of record, the moving party must support the motion with an affidavit or offer of proof. **(File no. 2004-24)**. For the full text, see

<http://www.courts.michigan.gov/supremecourt/Resources/Administrative/2004-24.pdf>

Public hearing agenda:

<http://www.courts.michigan.gov/supremecourt/Resources/Administrative/PH.htm>

Comments on proposed rules:

<http://www.courts.michigan.gov/supremecourt/Resources/Administrative/index.htm#proposed>.

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